

Minutes
Council Meeting
January 13, 2009

- I. A regular scheduled meeting of the Borough Council was called to order at 7:00 p.m. by President Edward Mitchell. The meeting was held in the Upland Municipal Building.
 - A. Present were: President Edward Mitchell, Vice President Christine Peterson, Council members Mrs. Sandy Miazza, Ms. Moira Crawford, Mrs. Georgianna Hicks, Mr. Lee Hunter, Mr. Dennis Walls, Mayor Michael Ciach, and Mr. Charles Catania, Sr. P.E., Mr. Robert O'Connor, Esquire, and Mrs. Shirley Purcival, Borough Manager Treasurer/Secretary were present.
 - B. Approximately ten residents attended the meeting and Fire Chief Dan Smith.
- II. The Pledge of Allegiance to the American Flag was lead by President Edward Mitchell. The Pledge was followed by a moment of silence.
- III. Moment of Silence
- IV. Roll Call
- V. Approval of Previous Minutes
 - A.1 President Mitchell asked for a motion to accept the CDBG Minutes of December 9 2008.

Mrs. Miazza offered a motion to accept the CDBG Minutes of December 9, 2008, which is seconded by Mr. Walls.

Council unanimously voted aye on the motion.
 - A.2 President Mitchell asked for a motion to accept the December 9, 2008 Council Minutes.

Mrs. Hicks offered a motion to accept the December 9, 2008 Council Meeting Minutes, which is seconded by Mrs. Miazza.

Council unanimously voted aye on the motion.
- VI. Treasurer/Manager's Report - Mrs. Shirley Purcival
 - A.1 Mr. Walls made a motion to accept the Treasurer/Manager's Report, Item A-1. Mrs. Miazza seconded the motion.

Council unanimously voted aye on the motion.

A.1 a Income Statements:

Mrs. Hicks offered a motion to accept the Income Statements, which is seconded by Mrs. Miazza.

Council unanimously voted aye on the motion.

President Edward Mitchell asked Mrs. Purcival, Borough Manager if there were any changes and/or additions to the Manager's Report. Mrs. Purcival stated, no, however, she requested permission to read a letter into the Minutes.

President Edward Mitchell responded, yes.

Mrs. Purcival stated the letter dated January 9, 2009 was received from the Congress of the United States House of Representatives and was addressed to The Honorable Edward Mitchell;

"Dear Commissioner Mitchell,

Thank you for contacting me for assistance in obtaining information on the status of the J. W. Reese Army Reserve Center.

I will be glad to assist you in every way that I can. I have contacted the appropriate officials at the Department of Defense to express my interest on your behalf, and I will be back in touch with you as soon as I receive a response.

In the meantime, please feel free to contact me if I can be of further assistance.

Sincerely, Joe Sestak, Member of Congress

A.2 Manager's Report

Vice President, Christine Peterson offered a motion to accept the Manager's Report, which is seconded by Mrs. Miazza.

Council unanimously voted aye on the motion.

VII. Auburn Village Report - Mr. Dennis Walls

Mr. Walls asked if the Council members had a copy of the Lenni Electric Price Quote to install a new light pole on Dogwood Lane in the amount of \$1,716.00 dated December 30, 2009?

Mr. Walls offered a motion for the expenditure in the amount of \$1,716.00 to install a new 100 watt, MH with a 15 foot fiberglass pole for the above referred location, which is seconded by Vice President, Christine Peterson.

Council unanimously voted aye on the motion.

Mr. Walls stated, "We have been trying to get this done for years, however, it was always denied by the former Auburn Village Committee Chairperson."

Mr. Walls stated, "This light is very much needed in this area that should have been put in years ago because it is very dark and unsafe for our seniors who live in that area."

President Edward Mitchell asked the completion date of the installation.

Mrs. Purcival stated, "Several weeks because they have it in stock."

President Edward Mitchell asked the status of the heaters and if they are receiving positive acceptance by the community?

Mr. Walls responded, "Yes, and the heater installation is moving along."

VIII. Public Safety - Mr. Leland Hunter

- A. 1 Mr. Hunter offered a motion, which is seconded by Vice President, Christine Peterson to accept the Fire Marshall's Report.

Council unanimously voted aye on the motion.

- A. 2 Fire Chief Dan Smith reported the following for the monthly December 2008 Report:

Fire Incidents: 0, Non-Fire Incidents: 14 Non-Fire, 14, Mutual Aid: 14 for a total of 28.

There were 3 drills for a total of 31. Assists for Fire: 14, Cover Assignment: 0

Motor Vehicle Accidents, 1 and 1 Ambulance Assists, 2 Electric Lines Down, 1 Appliance, 1 Electric Fixture, 6 Auto. Alarm System Failures, Good Intent: 2. There were a total of 27 ½ hours of service, 15 day time, 16 night time with an average runner of 9.

Fire Chief Dan Smith reported the following for the yearly 2008 Report:

9 Fire Incidents, 132 Non-Fire Incidents, 198 Mutual Aid for a total incidents of 339.

There were 35 drills for a total activity of 374, which was higher than last year's.

Fire Chief Dan Smith stated that once again, they are higher than they've ever been.

Fire Chief Dan Smith reported there was \$60,000.00 in structural loss, \$47,000.00 in content loss for a total loss for the 2008 year \$107,000.00.

Fire Chief Dan Smith reported there were 160 Assists for Fire, 20 Cover Assignments and 18 Rapid Intervention Calls. There were 20 Motor Vehicle Accidents, 1 Elevator Rescue, 8 Ambulance Assists, 2 Fuel Spills, 8 Gas Leaks, 7 Wire Calls, 4 CO Detector Activations, 2 Appliances, 8 Electric Fixtures, 46 Fire Alarms, 25 Good Intent, 1 Assist to Police, 2 Single Family Dwelling Fires, 1 Vehicle Fire, 2 brush fires and 2 others. There were 281 hours in service for the year. 179 Day time, 195 Night time. The average runners didn't calculate out right at this point, so I can't really give you that figure, according to Fire Chief Dan Smith, but it's probably around 9% for the month.

Fire Chief Dan Smith reported the year-to-date is 374 calls.

Mrs. Miazza asked Fire Chief Dan Smith if mutual aid was assisting somebody?

Fire Chief Dan Smith replied, "Yes, and if you go by the 2nd page, it lists what mutual aid was done."

President Edward Mitchell asked Fire Chief Smith how the membership is?

Fire Chief Smith responded, "Holding Steady."

A.3 Mr. Hunter called on Investigator Michael Curran from the Police Department to talk about the “Smooth Operator Program”.

Investigator Michael Curran presented a power point presentation on the “Smooth Operator Program”

Investigator Curran stated the Smooth Operator Plan has been around for years. In 2008, it was Upland’s first time participation in the program. The goal of Smooth Operator is to reduce the number of crashes, injuries and deaths. The Smooth Operator Program is a public safety initiative which aims to provide education, information and solutions for Pennsylvania’s aggressive driving problem.

-Aggressive driving is a combination of unsafe and unlawful driving actions, which demonstrate a conscious and willful disregard for safety. It includes such offenses as speeding, tailgating, making unsafe lane changes, running red lights and stop signs, passing improperly and failing to yield right of way.

-Aggressive driving is also asking officers to enforce all seat belt violations. Aggressive driving occurs when an individual commits a combination of moving traffic offenses so as to endanger other persons or property.

-Aggressive drivers are responsible for two thirds of all highway fatalities and nearly 35% of all crashes.

Upland’s Involvement

-Our Police Department receives money from the state to enforce traffic offenses in order to reduce accidents.

-The amount of money our department receives is based on our size, accident statistics, and mainly our enforcement.

-Upland Police Department has been involved for only one year and has been recognized as one of the states **top** police departments!

-Upland was also one of two departments named for their police enforcement, at a mandatory meeting held by the state for all departments involved.

Upland’s Police Department Statistics

-Officers conducted 184 hours of traffic enforcement while another police car was on the street during these hours paid for by the state, protecting our streets.

-Upland issued 60 speeding tickets, 2 careless driving, 9 improper passing, 66 improper turning, 162 traffic control signals-signs, 21 obedience to traffic devices, 98 driving while suspended, 54 other related traffic offenses, and 98 seat belt violations.

-Upland received the least amount of money out of all departments involved, due to this being our first year involved in the program.

-A total of 82 police departments participated in 2008. There were 26 departments involved from Delaware County.

-Out of the 26 departments in Delaware County, the Upland Police Department (8 officers) was the second highest in citations issued for seat belts. Ridley Police Department (34 officers) was the only department to issue more seat belt violations than Upland.

SERVICE

-The Upland Police have been recognized through the Delaware County Daily Times numerous times in regard to Smooth Operator and our traffic enforcement.

-Upland Police officers should be recognized for their dedication in serving to protect our community, not only during smooth operator but throughout 2008.

BENEFITS

-With Upland Police participating in Smooth Operator, our residents are safer with another police vehicle driving throughout the Borough. Also, traffic enforcement is being conducted reducing accidents, felons are being taken off the street, and community relations are being conducted.

Investigator Michael Curran: "At this time, I would like to thank all police officers that participated in 2008 Smooth Operator, along with the Upland Council, Mrs. Purcival, and the borough residents in supporting the police department." "I would also like this opportunity to thank Police Chief, John R. Easton, with his assistance in making this operation run smoothly, and putting up with my constant concerns and requests."

President Edward Mitchell stated, "On behalf of Upland Borough Council and the Chief, it just goes to say that a lot can be done when you put the right people in the right places to get the job done. You know we're elated at your guys achievements. It's worth every penny that we spend to keep the community safe, which is a top priority to us and we thank you."

Mr. Hunter stated he has a letter from the Brookhaven Police Department dated December 29, 2008 addressed to Mrs. Purcival, the Borough Manager which states:

"Dear Mrs. Purcival:

On behalf of the Borough of Brookhaven, I would like to express my sincere appreciation to Chief John Easton for his assistance in conducting oral examinations for police applicants.

His years of experience at CID and his administrative skills resulted in a successful testing process.

Please express my sincere appreciation to him for a job well done.

Sincerely,

John M. Eller,
Chief of Police
Brookhaven Police Department

President Edward Mitchell stated, "Congratulations John." "Again, I'm just as happy as I can be seeing this much progress in what we've accomplished and what you and your team have accomplished. Thank you very much and continue on."

- A.4 Mr. Hunter offered a motion to hire a part-time police applicant, Michael Roberts, which is seconded by Mrs. Miazza.

Council unanimously voted aye on the motion.

Mr. Walls asked when the applicant will be sworn in?

Vice President, Christine Peterson replied, "It takes about six to eight weeks to get the paperwork and everything back from the state because of all of the certifications. He cannot work until that time. Once all of proper paperwork is turned in he will begin training."

IX. Building and Grounds Report - Mrs. Sandra Miazza

- A.1 Mrs. Miazza offered a motion for the expenditure for a new light pole on the 6th Street Lot, which is estimated to cost between \$1,498.00 to \$1,768.00, which is seconded by Vice President, Christine Peterson.

Council unanimously voted aye on the motion.

X. Finance and Insurance Report - Ms. Moira Crawford

- A. 1 Ms. Crawford offered a motion to approve payment of the December 2008 invoices for the General Fund in the amount of \$71,279.27, which is seconded by Mr. Walls and Mrs. Miazza.

Council unanimously voted aye on the motion.

- A-2 Ms. Crawford offered a motion to approve payment of the December 2008 invoices for the Auburn Village in the amount of \$15,489.74, which is seconded by Mr. Walls and Mrs. Miazza.

Council unanimously voted aye on the motion.

XI. Ordinances and Resolutions - Mrs. Georgianna Hicks

- A-1 Mrs. Hicks offered a motion to advertise Ordinance #1 of 2009 - Fire Lane Enforcement, which is seconded by Mrs. Miazza and Vice President, Christine Peterson.

Council unanimously voted aye on the motion.

- A-2 Mrs. Hicks offered a motion to adopt Resolution #1 of 2009 - H20 PA.

Council unanimously voted aye on the motion.

- A-3 Mrs. Hicks offered a motion to adopt Resolution #2 of 2009 - Borough Of Police

Pension Plan, which is seconded by Mr. Walls.

Council unanimously voted aye on the motion.

- A-4 Mrs. Hicks offered a motion to adopt Resolution # 3 of 2009 - Policy on Prohibited Acts of Discrimination, Harassment, Retaliation and Workplace Violence, which is seconded by Mr. Walls.

Council unanimously voted aye on the motion.

XII. Research and Development Report - Ms. Moira Crawford

Ms. Crawford stated there have been server problems on the Borough website over the past couple of weeks, but it is her understanding that after this Sunday, the problems have been fixed as they switched servers for us.

Ms. Crawford stated that Mr. Peden gave her an update on the History Section, which is almost 80% completed and this information will be up in the near future. It will contain photos and a detailed history of Upland Borough.

Ms. Crawford stated she contacted Ed Rostrern regarding the Upland AC information and he advised he has some historical information and photos regarding the Upland Athletic Club and this information will get set up on the website.

Ms. Crawford advised she added some free calendars to the website on the homepage for trash, recycling, Council meetings and anything the public needs to be aware of is going on in Upland. Also a calendar was added to the Community Events Section giving a monthly detail of any upcoming events.

Ms. Crawford asked the public if they have anything they want added or any suggestions, they should contact her either by email or call her.

XIII. Streets and Equipment Report - Mrs. Christine Peterson

- A.1 Vice President, Christine Peterson offered a motion to increase Robert Boyle's salary an additional \$1.00 per hour, which is seconded by Mr. Hunter.

Council unanimously voted aye on the motion.

- A.2 Vice President, Christine Peterson offered a motion to hire Sandra Miazza as the Borough's new cleaning employee at \$10.00 per hour, which is seconded by Mr. Hunter.

On roll call vote: Mrs. Miaza, abstained. Mr. Hunter, Aye. Mrs. Hicks, Aye. Mr. Walls, Aye. Ms. Crawford, Aye. Vice President, Christine Peterson, Aye. President Edward Mitchell, Aye.

- A.3 Vice President, Christine Peterson offered a motion to extend the Grass Cutting Bid Contract for one year with Kirby Lawn Care, which is seconded by Mr. Walls,

Council unanimously voted aye on the motion.

Vice President, Christine Peterson stated this year the Highway Department will handle some of the Pusey Plantation grass.

President Edward Mitchell stated "The former Upland Borough Council in the past totally

ignored our history. Anything this Council can do to rebirth that with the help of Mr. Peden please feel free to count on us because Mr. Peden is doing an excellent job and Council is very pleased.”

Mr. Peden stated the Board of Directors appreciates this very much.

XV. Use and Occupancy Report - Mrs. Shirley Purcival

Borough Manager, Mrs. Purcival stated in the month of December 2008 there were 6 inspections that received Use and Occupancy Certificates. 3 units failed the inspections and 0 units received a Temporary Use and Occupancy Certificates. Mrs. Purcival stated a total of \$500.00 was deposited into the General Fund.

President Edward Mitchell asked Mrs. Purcival that since all of the Borough Codes have been updated, has this information been helpful since people know we are serious about enforcing the Borough Codes?

Mrs. Purcival stated, “The homeowners have really taken to heart that, not only will they have to pay our inspectors to come back for a reinspection, but we are very serious about “life threatening issues and many of them will call and ask questions, in particular, if they have a concern.”

Mrs. Purcival stated the property owners call the Borough for advice before the inspectors even get there.

Ms. Crawford offered a motion to approve the Use and Occupancy Report, which is seconded by Mrs. Miazza.

Council unanimously voted aye on the motion.

XVI. Mayor’s Report - Michael Ciach

Mayor Ciach stated the following: 168 Total Citations were issued of which 146 were traffic and 22 Non-Traffic. Total Citation fines were \$17,384.00 one half of which \$8,692.00 is the Borough’s share. Parking Tickets issued were 12. Amount of tickets paid was \$180.00 with 0 going to DJ. There were 8 motor vehicle accidents, 4 accident reports. The total amount received from the DJ Court last month was \$0. There were a total of 143 calls answered and 4 assists. There were (2) assaults, (9) thefts, (4) burglaries and (3) disorderly conducts.

Mayor Ciach announced the winners of the “Holiday Decorating Contest as follows:

First Prize - 34 Sixth Street, Second Prize - 1145 Woodside Avenue Third Prize: 3436 Eleventh Street

Mayor Ciach stated the winners will be notified and the prizes will be awarded accordingly.

Mayor Ciach stated the first 25 of 100 letters have gone out to the businesses seeking interest in a meeting tentatively scheduled for February 26th, 2009 for “Safety in the Workplace”. This is the beginning of the process to try to develop a better relationship with the our businesses in the Borough.

Mayor Ciach stated the Town Watch Program is progressing. “We have about twenty-five to thirty applicants. At this point, we were supposed to meet with a group from the county homes, who did not show up because of a miscommunication with Mr. DePrince and myself.”

Mayor Ciach stated the Youth ID Day will be Saturday, February 21, 2009. This information will

be posted on the website.

Mayor Ciach stated the 2010 Census is starting to come around. “ We are in the process of identifying boundary issues and updates will be reported to Council.” Mayor Ciach stated he is gathering information now on new projects that have recently come about in the Borough.

Mayor Ciach stated his appreciation to Investigator Michael Curran for his “Smooth Operator Report.” Mayor Ciach stated “Over a little over a year ago, Mike approached him about this program. He has not only seen the enforcement of this program go through, but he saw it from start to finish from the grant straight on through the process.” “Great job, Mike.”

Mrs. Hicks asked Mayor Ciach how long it takes to find out the census information?

Mayor Ciach responded, “The information, to his understanding is going to be gathered through the year 2010 and probably recorded in early 2011, is what I’m guessing.”

Mr. Walls asked Mayor Ciach if the winners of the “Holiday Decorating Contest” will be present at a Council meeting to accept their awards?

Mayor Ciach replied he will check with the Community Affairs Committee as well as the residents to see if they are willing to come to the February 10th Council meeting, however, their prize money will be mailed out ahead of the meeting. A certificate will be awarded to each winner at the February meeting.

XVII. Solicitor’s Report - Mr. Robert O’Connor

Mr. O’Connor stated he had no Solicitor’s Report tonight.

XVIII. Engineer’s Report - Mr. Charles Catania, Sr.

Mr. Catania stated the contractor of the CDBG Project at Upland Municipal Park is presently constructing the sidewalk. He has also installed the padding on the poles. I would guess it will take him awhile to finish the job because of the weather conditions. If we get a few couple days, he may be able to get the concrete poured.

Mr. Catania stated the plans are substantially complete for the new police station and the specifications are being worked on as we speak. The building which is going to be located on the property adjacent to the Borough Hall with an entrance off of Castle Avenue is going to contain a little over two thousand square feet. We are guesstimating the costs that are will include all of the furnishings in the property at approximately half a million dollars.

Mr. Catania stated we should be in a position to advertise for bids for the building hopefully to open the bids on February 24th.

Mr. Catania stated what he’d like to see is Council to authorize the advertisement for the bids so we will be in a position to move ahead.

Mrs. Hicks offered a motion to advertise for the bid specifications for the New Police Building, which is seconded by Vice President, Christine Peterson.

Council unanimously voted aye on the motion.

President Edward Mitchell stated a few changes were made with the lobby and the garage.

Mrs. Purcival stated she spoke with Mr. Catania the other day, also the vinyl fencing and landscaping were discussed.

President Edward Mitchell asked Mr. Catania if anything was able to be done with the bathrooms there?

Mr. Catania replied the information was submitted on the CDBG application what we would hope to do if we get funded.

Mr. Catania stated Council just passed Resolution #1 of 2009 on the H2O PA. which is the grant application for the storm relief project in the Kerlin Street area.

Mr. Catania stated he has the application ready to go to Harrisburg and the Commonwealth of PA. Finance Authority and we are looking for a 100% grant and hopefully with the infrastructure money they are talking about throwing around, we should certainly be in a position since we are ready to go to construction. The plans and specifications are done and paid for by the county prior to receiving the CDBG application.

Mr. Catania stated last month a quotation from Penn Lighting Associates was discussed regarding the new LED lighting in Auburn Village. There are 22 existing and 1 new light we are proposing to put in. Of course, these are new modern fixtures which will use very little power to provide great lighting. The costs that were submitted by Penn Lighting in their proposal, depending on the type of fixture selected, the fixtures themselves without the poles would run from \$75,000.00 up to \$93,000.00 for three different types of fixtures. “ This would be a big plus for the lighting in Auburn Village.” This is a large expenditure. Council will need to make a decision whether you want to move ahead and what we can do is get this project ready to bid.

President Edward Mitchell stated Council will hold off on this for a month.

Mr. Catania stated that was all he had on his report for this evening.

Mr. Walls asked President Mitchell if any money was budgeted for the lights?

President Edward Mitchell responded that amount of money was not budgeted. We are looking into any windfalls from the Earned Income Tax revenue. We have a lot of income out there, however, we have not collected any. Once we know the amount of revenue received from the EIT, we will then be able to look at some of these special projects, and keep in mind, we are still working on the rest of the community with lighting and there is a lot of activity going on with street lights with a total of twenty-five completed. Everything is moving right along.

XIX. Old Business

- A.1 Vice President, Christine Peterson offered a motion to cancel the 2nd Council meeting of the month, which is seconded by Mrs. Hicks.

Council unanimously voted aye on the motion.

XX. New Business

- A-1 President Edward Mitchell stated A-1 has been stricken.

- A-2 President Edward Mitchell stated the new Chairperson for the Public Safety Committee will be himself.

A-3 President Edward Mitchell commended Mrs. Hicks for the recent appointment to the Caleb Pusey Board of Directors and stated “If there is anything Council can do, she will receive 100% support. President Mitchell stated we have the resources and the manpower and we are here for you.” President Mitchell stated, “All we can ask is that you keep the Upland history alive and be proud that we have it.”

A-4 President Edward Mitchell made a recommendation to accept the price quote for the expenditure of \$4,500.00 to repair the Flood Light on the perimeter of the ball park.

Mrs. Miazza offered a motion, which is seconded by Vice President, Christine Peterson.

Council unanimously voted aye on the motion.

President Edward Mitchell asked to go on the record to re-establish the Civil Service Commission Committee.

Mrs. Purcival, Borough Manager responded “The Committee was empowered again and letters were sent out to their members.”

President Edward Mitchell asked Mrs. Purcival for an update on Minsec and asked if they started pulling the necessary permits as President Mitchell noticed movement?

Mrs. Purcival responded that information from the DEP was sent to our engineer and Mrs. Purcival put a phone call into the owner of the corporation. Mrs. Purcival stated that due to the phone problems that we have experienced, their counsel tried to phone her and subsequently tried faxing, however, the fax line was also experiencing problems, therefore, sporadic information was received and Mrs. Purcival placed another phone call.

President Edward Mitchell asked Mrs. Purcival to provide any information received on this project to Council.

XXI Floor Open to the Public:

None

XXII. Adjournment:

There being no further business before Council, Vice President, Christine Peterson offered a motion to adjourn the meeting at 7:50 P.M, which was seconded by Mr. Hunter.

Council unanimously voted aye on the motion.

Respectfully submitted,

Shirley Purcival
Borough Manager/Secretary/Treasurer

Virginia M. Sentyz
Recording Secretary